FOR MYSORE STATE

FOOD AND AGRICULTUR (1950) Department.

MS SERIES.

G.O. No. Food and Agriculture. 1138

Dated 10th June 1950.

[Despatch Abstract.]

Civil Supplies - Foodstuffs - Perishable foodstuffs (Power of sale) Order, 1950 - Notification of the Govt of India - Republication in Fort St George Gazette - Ordered

ABSTRACT.

CIVIL SUPPLIES - Food stuffs - Perishable foodstuffs (power of sale) Order, 1950 - Notification of the Government of India - Republication in Fort St. George Gazette - Ordered.

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BY SPECIAL MESSENGER.

(1) Received one cover containing P.C.S. T.M.L. addressed to Superintendent Government Press, Madras.

(2) One cover containing G.O.Ms.1138 Food and Agriculture.

APPENDIX.

NOTIFICATION

NEW DELHI, the 10th June 1950.

No.CG-603(38)-V- In exercise the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to make the following Order, Namely;-

1. Short title, extent and commencement.

(1) This Order may be called the Perishable Foodstuffs (Power of Sale) Order, 1950.

(2) It applies to the ports of Bombay, Madras Calcutta, Chochin and Vizagapatnam.

(3) It shall come into force at once.

2. DEFINITIONS:

In this Order, unless there is anything repugnant in the subject or context, -

(1) "Port Authority" means a body of Port Commissioners or other authority empowered to administer a port;

(2) "competent authority" means, in the case of the ports of Madras and Calcutta, the Chairman of the Port Commissioners, and in the case of the port of Bombay, the Manager Bombay Port Trust Docks, and, in the case of the ports of Cochin and Vizagapatnam, the administrative officer of the Port.

3. POWER TO SELL PERISHABLE FOODSTUFFS:

(1) Where a competent authority is of the opinion

that any foodstuffs placed in the custody of the Port Authority or brought within the limits of the Port Authority are of a perishable nature, the competent authority may cause a notice to be served upon the owner or other person entitled thereto by letter delivered at his address or sent by post, requiring him to remove the foodstuffs within such period as may be specified in the notice but which period shall not be less than four days and stating that in default of compliance therewith the foodstuffs are liable to be sold;

Provided that where the address of the owner such other person is not known, the notice may be served by publication in at least two local daily newspapers.

(2) Where any such owner or other person fails to remove the foodstuffs in pursuance of a notice served upon him under sub-clause (1), the competent authority may, in consultation with the Regional Food Commissioner of the area or the District Controller concerned, direct that the foodstuffs be sold by public auction or in such other manner as the competent authority deems fit.

4. APPLICATION OF PROCEEDS OF SALE:

The moneys received from a sale under clause 3 shall be applied as follows:-

firstly, in payment of the expenses of the sale;

secondly, in payment of any dues of the Central or State Government which have a preference over the dues of the Port Authority;

thirdly, in payment of the dues, if any, of the Port Authority, The surplus, if any, shall be paid to the owner of the foodstuffs or his agent on his applying for the same, provided that such application be made within one year from the sale of the foodstuffs or good reason be shown why such application was not so made, to the satisfaction of the competent authority; and in case such application shall not be so made nor reason shown, such surplus shall be applied for the purposes of the enactment under which the Port is being administered.

MR. R.L. GUPTA,

SECRETARY TO GOVERNMENT OF

INDIA.

/True Copy/

SUPERINTENDENT.

Tsv/5/8/53.

Compared by:- JK Shankar.

8/9/53.